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Court Reverses Convictions Against Detroit Mother and Activist Siwatu-Salama Ra

Appeals Court ruling is a major step toward justice

DETROIT - Siwatu-Salama Ra, a prominent racial justice and environmental activist from Detroit, had her controversial felonious assault and felony firearm convictions reversed today by the Michigan Court of Appeals. Prosecutors must now decide whether to appeal the case to the Michigan Supreme Court, pursue a second trial, or dismiss all charges.

The reversal is her attorney's, Wade Fink's, second felony conviction reversal in the last two weeks. Attorney Fink also secured a reversal of a first-degree murder conviction based on the racist comments by a juror made in deliberations.

"The Michigan Court of Appeals again showed itself to be the thoughtful, deliberative judiciary that citizens can rely upon to carry out justice," said **Attorney Wade Fink**, "This is a huge victory for justice. Siwatu acted in self-defense and we hope the case is completely dismissed. But if this case is brought again, we intend to prove it – this time in a fair trial where Siwatu is permitted to present a defense."

The Michigan Court of Appeals reversed three charge felony charges Ra attained in the process of protecting her family from a woman who Ra said tried to use her car as a "battering ram" against Ra's vehicle which contained Ra's then two year old and against Ra's mother. Ra held up her legal, licensed, unloaded firearm to ward off the attack.

Ra's case captivated a national audience, as she was imprisoned while in her third trimester of pregnancy. Like many other women who are incarcerated while pregnant, her ankles were shackled during medical exams, and she was forced to give birth under watch of prison guards. Ra's case was also of interest to organizations fighting the racist enforcement of firearm policies, as many viewed Ra showing her lawfully registered and unloaded firearm as justified self-defense. Ra, a 28 year old mother and community organizer with no prior record and who

lawfully possessed a handgun, was charged with three felonies, including one felony carrying a mandatory two-years of incarceration.

At the original trial, Wayne County Judge Thomas Hathaway did not allow Ra to present a full self-defense claim to the jury. In addition, the trial judge did not allow Ra's attorney to cross-examine the driver of the car, Chanell Harvey, about the fact that she was on her third round of felony probation for having assaulted others. As a result, Ra was convicted and sentenced to a mandatory period of two years in prison. Ra asked for time to report to prison, or for a delayed sentencing, so that she could give birth to her child outside of prison, but the judge denied her requests.

Ra retained Wade Fink Law, P.C., a Metro Detroit based criminal defense firm, to handle her appeal. The Firm's lead attorney, Wade Fink, stated that Ra's trial was a "parade of errors" and before the appeals court even decided the case, Fink secured Ra's release from prison on bond pending appeal by showing that the appellate issues had substantial merit. Ra was released with a GPS tether that restricted the time she could be outside of her home until the appeals court made its most recent decision to reverse her convictions.

For more information on this case, see the following sites and stories:

FreeSiwatu.org

<https://www.newyorker.com/news/our-columnists/the-injustice-of-siwatu-ras-imprisonment-and-the-relentless-logic-of-mass-incarceration>

<https://www.metrotimes.com/news-hits/archives/2018/09/11/detroit-activist-siwatu-salama-ra-appeals-questionable-gun-assault-conviction>

<https://www.essence.com/news/detroit-activist-siwatu-salama-ra-wants-to-end-the-slavery-tactics-used-on-pregnant-women-in-prison/>

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